

## **2415.308**

### **2415.308 Source selection decision.**

After receipt and evaluation of final proposal revisions, the TEP shall document its selection recommendation(s) in a final written report. The final report shall include sufficient information to support the recommendation(s) made, appropriate to the source selection approach and type and complexity of the acquisition.

[64 FR 46096, Aug. 23, 1999]

### **Subpart 2415.5—Preaward, Award, and Postaward notifications, Protests, and Mistakes**

#### **2415.507 Protests against award.**

Protests against awards of negotiated procurements shall be processed in accordance with FAR subpart 33.1 and HUDAR subpart 2433.1

[50 FR 46578, Nov. 8, 1985. Redesignated at 61 FR 19471, May 1, 1996, and further redesignated at 64 FR 46096, Aug. 23, 1999]

### **Subpart 2415.6—Source Selection**

SOURCE: 50 FR 46577, Nov. 8, 1985, unless otherwise noted.

#### **2415.605 Content of unsolicited proposals.**

#### **2415.605-70 Unsolicited research proposals.**

FAR subpart 15.6 outlines the policies and procedures relating to unsolicited proposals. In addition to these requirements, the Department requires that each award made as the result of an unsolicited proposal for research contain a commitment to provide actual cost-sharing. This provision will be included in the award whether or not cost-sharing was part of the unsolicited proposal.

[49 FR 7703, Mar. 1, 1984. Redesignated and amended at 64 FR 46095, Aug. 23, 1999]

#### **2415.606 Agency procedures.**

(a) The contact points shall ensure that unsolicited proposals are controlled, evaluated, safeguarded and disposed of in accordance with FAR subpart 15.6. Proposals, as used in this section shall mean proposals for procure-

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ment contracts with the Department and shall not include proposals or applications for assistance, including grants or cooperative agreements.

(b) Unless otherwise specified in a FEDERAL REGISTER announcement, unsolicited proposals should be submitted to—

(1) For research—Department of Housing and Urban Development, Office of Policy Development and Research, PD&R Correspondence Unit (Room 8228), 451 7th Street, SW, Washington, DC 20410.

(2) For all others—Department of Housing and Urban Development, Director, Office of Procurement and Contracts (NC), 451 7th Street, SW, Washington, DC 20410.

[64 FR 46096, Aug. 23, 1999]

## **PART 2416—TYPES OF CONTRACTS**

### **Subpart 2416.4—Incentive Contracts**

Sec.

2416.406 Contract clauses.

### **Subpart 2416.5—Indefinite-Delivery Contracts**

2416.505 Ordering.

2416.506 Solicitation provisions and contract clauses.

2416.506-70 Unpriced delivery/task orders.

### **Subpart 2416.6—Time-and-Materials, Labor-Hour, and Letter Contracts**

2416.603 Letter contracts.

2416.603-2 Application.

AUTHORITY: 40 U.S.C. 486(c); 41 U.S.C. 253; 42 U.S.C. 3535(d).

SOURCE: 49 FR 7706, Mar. 1, 1984, unless otherwise noted.

### **Subpart 2416.4—Incentive Contracts**

#### **2416.406 Contract clauses.**

(e)(1) The Contracting Officer shall insert the clauses at 2452.216-70, Estimated Cost, Base Fee, and Award Fee; 2452.216-71, Payment of Base and Award Fee; 2452.216-72, Determination of Award Fee Earned; 2452.216-73, Performance Evaluation Plan; and 2452.216-74, Distribution of Award Fee, in all award fee contracts. The Contracting Officer may modify the

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clauses to meet individual situations and any clause or specific requirement therein may be deleted when it is not applicable to a given contract.

[53 FR 46535, Nov. 17, 1988. Redesignated at 64 FR 46096, Aug. 23, 1999]

### Subpart 2416.5—Indefinite-Delivery Contracts

#### 2416.505 Ordering.

(b)(6) The Departmental competition advocate also serves as the Departmental ombudsman for task and delivery order contracts in accordance with FAR 16.505(b)(6).

(i) Each HCA shall designate a contracting activity ombudsman for task and delivery order contracts.

(ii) The contracting activity ombudsman shall:

(A) Review complaints from contractors concerning task or delivery orders placed by the contracting activity;

(B) Be independent of the contracting officer who awarded or is administering the contract under which a complaint is submitted;

(C) Recommend any corrective action to the cognizant contracting officer; and

(D) Refer to the Departmental ombudsman issues which cannot be resolved.

(iii) Contractors may request that the Departmental Ombudsman review complaints when they disagree with the contracting activity ombudsman's review.

[64 FR 46096, Aug. 23, 1999]

#### 2416.506 Solicitation provisions and contract clauses.

#### 2416.506-70 Unpriced delivery/task orders.

(e) The contracting officer shall insert the clause at 2452.216-75, Unpriced Task Orders, in contracts for which task orders are individually negotiated and there may be a need to issue unpriced task orders; provided, however, that the contracting officer shall ensure that the cost of the work authorized by the task order is not in excess

of the funds obligated under the contract.

[57 FR 59790, Dec. 15, 1992. Redesignated at 61 FR 19471, May 1, 1996]

### Subpart 2416.6—Time-And-Materials, Labor-Hour, and Letter Contracts

#### 2416.603 Letter contracts.

#### 2416.603-2 Application.

(c) The HCA shall approve additional time periods for definitization of letter contracts authorized by the Contracting Officer pursuant to FAR 16.603-2(c).

[64 FR 46096, Aug. 23, 1999]

## PART 2417—SPECIAL CONTRACTING METHODS

### Subpart 2417.2—Options

Sec.

2417.204 Contracts.

#### Subpart 2417.5—Interagency Acquisitions Under the Economy Act

2417.504 Ordering procedures.

AUTHORITY: 31 U.S.C. 1535; 40 U.S.C. 486(c); 42 U.S.C. 3535(d).

### Subpart 2417.2—Options

#### 2417.204 Contracts.

(e) The Senior Procurement Executive shall approve any solicitation or contract which exceeds the five (5) year maximum for acquisitions of supplies or services.

[61 FR 19471, May 1, 1996]

### Subpart 2417.5—Interagency Acquisitions Under the Economy Act

#### 2417.504 Ordering procedures.

(b) The Contracting Officer shall use HUD Form 730, Award/Modification of Interagency Agreement, when placing or modifying an order for supplies or services from another Government agency.

[53 FR 46535, Nov. 17, 1988]